
CITY COUNCIL MEETING

MONDAY, JUNE 8, 2009

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Calvin Kurtz from the Reading-Berks Conference of Churches.

All present pledged to the flag.

ATTENDANCE

Council President Vaughn Spencer
Councilor Steve Fuhs, District 1
Councilor Marcia Goodman-Hinnershitz, District 2
Councilor Dennis Sterner, District 3
Councilor Stratton Marmarou, District 4
Councilor Jeffrey Waltman, District 6
Mayor, T. McMahon
Managing Director, R. Hottenstein
City Clerk, L. Kelleher
City Solicitor, C. Younger
Public Works Director, C. Jones
Police Chief, W. Heim

PROCLAMATIONS AND PRESENTATIONS

The Mayor issued the following Proclamations:

- Recognizing the actions of Mark Schaeffer and Antwaun Johnson in assisting a woman whose purse was snatched
- Recognizing Quelbin Amancio, RHS graduate

City Council issued the following Commendations:

- Recognizing the achievements of Donovan Lindsey, Reading High School student
- Recognizing the achievements of Katherine Hernandez, Reading High School student

PUBLIC COMMENT

Council President Spencer announced that eight (8) citizens were registered to address Council on non-agenda issues. He inquired if Council objected to suspending the rule requiring comment on non-agenda matters at the conclusion of the meeting. No one objected, therefore, the rule requiring non-agenda comment at the conclusion of the meeting was suspended. Council President Spencer reminded the citizens registered to speak about the remaining public speaking rules.

Pat Mizejewski, Perry Street, was not present.

Joann Ross, Windsor Street, expressed opposition to the proposed ordinance restricting the number of pets per household. She expressed the belief that the majority of pet owners are responsible. She stated that hard economic times will discourage compliance with the proposed ordinance.

Lisa Schinn, Hampden Blvd., spoke in opposition to the proposed limitation on the number of pets per household. She stated that she currently cares for approximately 25 cats. She expressed the belief that the proposed fee accompanying the ordinance is unfair to responsible owners. She also spoke in support of a trap/neuter/release (TNR) program.

Bonnie Gerhart, North 10th Street, suggested that the ordinance limiting the number of pets per household be focused at irresponsible owners only. She noted the amount of money she spends annually for pet care and rescue work. She suggested applying the limitation only to irresponsible owners. She described her work to care for feral cats in her neighborhood.

Valerie McCleaf, North 4th Street, expressed opposition on the proposed ordinance to limit the number of animals per household, as it is unfair to the responsible owners.

Dawn Roder, Locust Street, expressed concern with the proposed exotic pet permit fee. She expressed the belief that the exotic pets are taken in as rescue animals.

Angela Zabala, North 10th Street, described her ongoing problems with graffiti, noise, and other quality of life issues which are damaging her property and her business.

Dennis Straub, North 10th Street, stated that he is a member of the Animal Control Board. He expressed his agreement with the concern expressed this evening about the proposed ordinance to limit the number of pets per household and create an exotic pet permit fee. He expressed the belief that these proposals harm responsible owners. He expressed his belief in the creation of a trap/neuter/release (TNR) program similar to that used in Baltimore.

AGENDA & MINUTES

Councilor President Spencer asked Council to consider the minutes from the May 26th regular meeting and the agenda for this meeting including the items listed under the Consent Agenda heading. He noted the need to add two (2) pieces of legislation as follows:

- Resolution approving the 2009 tax exoneration for the Krauthauser's at 1420 Old Wyomissing Road
- Resolution authorizing the Main Street Façade Grant

Council President Spencer asked that the resolution on the consent agenda concerning the June 10th zoning board meeting be removed for separate consideration.

Councilor Sterner moved, seconded by Councilor Goodman-Hinnershitz, to approve the agenda for tonight's meeting, as amended, along with the legislation listed under the consent agenda heading. The motion was approved unanimously.

CONSENT AGENDA LEGISLATION

Resolution 70- authorizing the Mayor on behalf of the City to sign and submit an application for the US DOE Energy Efficiency and Conservation Block Grant Program (Man Dir)

Resolution 71- waiving the required bond or surety pursuant to Chapter 22 Subdivision and Land Development Ordinance Section 309 Performance / Maintenance Guarantees (§22-309) of the City of Reading Codified Ordinance for development of the Double Tree Convention Center Garage by the Reading Parking Authority in the 700 block of Penn Street. (Council Staff)

Award of Contract – to retain legal counsel to handle the City's inter-municipal agreements for sewer services (Purchasing)

Resolution 72- authorizing City Council to testify at the June 10th Zoning Hearing Board meeting regarding Variance and Special Exception applications affecting the quality of life in City neighborhoods (Council Staff)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to table Resolution 72-2009.

Resolution 72-2009 was tabled by the following vote:

**Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,
Spencer, President - 6.
Nay: None - 0.**

ADMINISTRATIVE REPORT

Cindy Heminitz, Executive Assistant to the Mayor, read the report distributed to Council at the meeting covering the following:

- Availability of the Recreation Department's summer activities bulletin
- Update on the graffiti abatement program
- The reopening of the Pagoda on Saturday, June 13th.

AUDITOR'S REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following topics:

- Update on 2008 external audit
- Update on the coordination of the gun grant
- Report on the 2008 Reading Parking Authority external audit

ORDINANCES FOR FINAL PASSAGE

Bill No. 29-2009 – amending the City of Reading Codified Ordinances Chapter 15 Motor Vehicles and Traffic, Section 15-419 Daily Parking Permits by eliminating the need for funeral homes to pay for no parking signs **(Waltman)** *introduced at the May 27 regular meeting*

Councilor Fuhs moved, seconded by Councilor Sterner, to table Bill No. 29-2009.

Councilor Waltman acknowledged the overall belief that this ordinance was inspired by one or two individuals; however, he noted the City-wide problem with funeral home parking. He reminded Council that this ordinance was suggested when cars involved in a funeral service were ticketed.

Councilor Sterner stated he will not support the enactment of this ordinance due to the nominal charge. He noted the laundry list of charges funeral homes charge to families for the care and preparation of the deceased. He also noted that there are approximately ten (10) funeral home businesses within the City and this request is being made by one (1) organization. He stated that the other funeral home business owners have been silent about this issue.

Bill No. 29-2009 was not enacted by the following vote:

Yea: Fuhs, Waltman - 2.

Nay: Goodman-Hinnershitz, Marmarou, Sterner, Spencer, President – 4.

Bill No. 16-2009 - amending the City of Reading Codified Ordinances – Chapter 4 – Part 1 Historical Districts – Section 102 by adding the definition of satellite dish, antenna and other modern device and Chapter 4 – Part 1 Historic Districts by establishing guidelines for the installation of satellite dishes and other

modern accessories, devices or fixtures of comparable size in historic districts **(Council Staff, HARB & Waltman) Introduced at the March 23 regular meeting; reviewed April 6 at the Public Safety Committee; Tabled at the April 13 regular meeting; reviewed by HARB and FCC, final draft reflects input from both entities)**

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 16-2009.

Councilor Waltman explained the need to regulate the location of satellite dishes in historic districts. He stated that satellite dishes detract from the façades in historic districts. He stated that satellite dishes located in the front of properties will need to either be relocated or screened in an appropriate fashion. He stated that this ordinance has been reviewed by the FCC and the ordinance on the table has been amended in accordance to the FCC comments. He thanks the HARB board for their assistance in developing this ordinance.

Councilor Goodman-Hinnershitz thanked Councilor Waltman for bringing this important issue forward.

Bill No. 16-2009 was enacted by the following vote:

Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer, President - 6.
Nay: None – 0

Bill No. 30-2009 - authorizing the Mayor to execute an easement agreement between the City of Reading and the Reading Area Water Authority thereby conveying unto the Reading Area Water Authority a non-exclusive, perpetual easement in gross upon that portion of premises known and designated as Easement 101-2 located within parcel ID # 530773-51-0576, along River Road, Reading, Berks County, Pennsylvania **(Law) introduced at the May 26 regular meeting**

Councilor Waltman moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 30-2009.

Solicitor C. Younger explained that this easement will allow the Reading Area Water Authority to install a pumping station and make other municipal improvements.

Bill No. 30-2009 was enacted by the following vote:

Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer, President - 6.
Nay: None – 0

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinances into the record.

Ordinance – increasing the fees in Engineering (Curb Permit, Building Line Survey, Street Cut Permit, Street Restoration, Driveway Permit and restoration, Sidewalk Occupancy, Vault and Repair Permit, Pole Permit), and Traffic Engineering (Banner Installation and Removal) (Managing Director)

Ordinance – amending the Capital Improvement Program to provide for the extension of River Road. (Public Works)

RESOLUTIONS

Resolution 73-2009- amending Resolution No. 56-2009 to incorporate the 100 block of N. 9th and N. 10th street in the Main Street Program, authorizing the application for façade grants and include a Main Street Program Board of Directors (**Community Development**)

Councilor Waltman moved, seconded by Councilor Marmarou, to adopt Resolution 73-2009.

Mr. Hottenstein explained that this resolution will include the 100 block of North 9th and North 10th Street in the Main Street area.

Resolution 73-2009 was adopted by the following vote:

Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer, President - 6.

Nay: None - 0.

Resolution 74-2009- endorsing the tunnel option for the conveyance of sanitary sewage from the eastern side of the Schuylkill River to the wastewater treatment plant on Fritz Island (Public Works Dept)

Councilor Fuhs moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution 74-2009.

Public Works Director C. Jones stated that this resolution will authorize the use of the tunnel option for the conveyance of sanitary sewage to the Waste Water Treatment Plant. He stated that the tunnel option is preferred by the City's Public Works staff. He expressed the belief that the tunnel option is a sound investment in the City's infrastructure.

Councilor Fuhs thanked the Hazel Street residents for their involvement in the review of this option. He also thanked City Council for allowing the testing to

learn how the proposed tunnel will affect residential properties. He stated that although the tunnel is the more expensive of the two options the shelf life of the tunnel is 80 to 100 years which is longer than the shelf life of a pumping station.

Councilor Goodman-Hinnershitz noted her agreement with further exploration due to the concern expressed by the affected residents. She thanked Councilor Fuhs for his strong advocacy for the Hazel Street residents. She agreed that the use of a tunnel versus a pumping station is the best choice for the City.

Councilor Waltman agreed with the overall project; however, he stated he will not support the resolution without an accompanying financial plan.

Resolution 74-2009 was adopted by the following vote:

**Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President - 5.**

Nay: Waltman - 1.

Resolution 75-2009 – authorizing the submission of a Main Street Façade Grant.

Councilor Marmarou moved, seconded by Councilor Fuhs, to adopt Resolution 75-2009.

Mr. Hottenstein stated that the Main Street grants will be used to support home and business façade improvements.

Resolution 75-2009 was adopted by the following vote:

**Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,
Spencer, President - 6.**

Nay: None - 0.

Resolution 76-2009 – authorizing the exoneration of the 2009 property taxes for Mr. and Mrs. John Krauthauser, at 1420 Old Wyomissing Road.

Council President Spencer explained that the Krauthauser's are eligible to receive exemption from property taxes under the veteran's program for individual who were permanently disabled during military service.

Resolution 76-2009 was adopted by the following vote:

**Yea: Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,
Spencer, President - 6.**

Nay: None - 0.

COUNCIL COMMENT

Councilor Fuhs agreed that responsible pet owners should not be included in the ordinance limiting the number of pets per household.

Councilor Fuhs thanked the Zoning office and the Reading Police Department for closing the illegal prostitution businesses operating on Lancaster Avenue.

Councilor Fuhs invited citizens to attend the Reading LRA meeting on Thursday June 11th at 7pm at the Seventh Day Adventist Church on Kenhorst Blvd. He noted the importance of obtaining public comment about the proposed reuse of the Navy Marine Center.

Councilor Sterner congratulated those honored with commendations and proclamations this evening.

Councilor Sterner agreed that the limitation on the number of pets should be applied to irresponsible owners.

Councilor Goodman-Hinnershitz congratulated those honored with proclamations and commendations this evening. She noted that the individuals honored serve as positive role models for Reading citizens, young and old.

Councilor Goodman-Hinnershitz noted that the ordinance limiting the number of pets per household needs further review and public comment.

Councilor Goodman-Hinnershitz described the success of the clean up on Spring Garden Street over the weekend.

Councilor Goodman-Hinnershitz invited all to visit the Pagoda when it re-opens this weekend. She noted the impact of the improvements made to the Pagoda.

Councilor Marmarou noted the success of the anti-graffiti program. He expressed the belief that the names of the perpetrators should be publicized.

Council President Spencer noted the strength of the City's four (4) historic districts. He expressed belief in the addition of the satellite dish component as dishes detract from facades of building in historic districts.

Council President Spencer stated that City Council could reconsider the ordinance eliminating parking permit fees for funeral homes at the request of other funeral homes within the City limits. He thanked Councilor Waltman for bringing this issue forward.

Council President Spencer reviewed the upcoming meeting schedule.

Councilor Fuhs moved, seconded by Councilor Waltman, to adjourn the

regular meeting of Council.

Linda Kelleher CMC, City Clerk